



Rai ney ▪ Ki zer ▪ Revi ere & Bel l pl c

209 East Main Street  
Post Office Box 1147  
Jackson, Tennessee 38302-1147  
731.423.2414  
Fax: 731.426.8150

Thomas H. Rainey  
Jerry D. Kizer, Jr.  
Russell E. Reviere  
William C. Bell, Jr.  
John D. Burleson  
Gregory D. Jordan  
Laura A. Williams  
Robert O. Binkley, Jr.  
R. Dale Thomas  
Deana C. Seymour  
Charles C. Exum  
Marty R. Phillips  
Dale Conder, Jr.  
Timothy G. Wehner  
Bradford D. Box  
Patrick W. Rogers  
Angela C. Youngberg  
Michael L. Mansfield  
Michelle Greenway Sellers  
Keely N. Wilson

Amanda C. Waddell  
Geoffrey A. Lindley  
V. Latosha Dexter  
Craig P. Sanders  
Mary Margaret Petrinjak  
Jonathan D. Stewart  
James V. Thompson  
Adam C. Crider  
Ashley D. Cleek  
Erin Melton Shea  
W. Paul Whitt  
Todd D. Siroky  
Jesse D. Nelson  
John O. Alexander, IV  
Nathan E. Shelby  
Chad A. Naffziger  
D. Craig Hodge

Robert E. Alderson (ret.)  
Clinton V. Butler, Jr. (ret.)

105 South Highland Avenue  
Post Office Box 1147  
Jackson, Tennessee 38302-1147  
731.423.2414  
Fax: 731.426.8111

Morgan Keegan Tower  
50 North Front Street, Ste. 610  
Memphis, Tennessee 38103  
901.333.8101  
Fax: 901.389.3677

WRITER'S DIRECT DIAL NUMBER  
731-426-8103  
731-410-1301 Direct Fax

Certified Civil Trial Specialist by National  
Board of Trial Advisory and Tennessee  
Commission on Continuing Legal  
Education and Specialization and  
Certified Rule 31 Mediator

October 21, 2009

Eihab Suliman  
Optima University LLC  
1774 Hwy 22  
McKenzie, Tennessee 38201

Re: National Board of Medical Examiners, et al. v. Optima University, LLC, et al.  
U.S. District Court for Western District No. 09-1043-JDB  
Our File No.: 09226/66446-RER

Dear Mr. Suliman:

I have enclosed a copy of the Order that was entered by the United States District Court on October 16, 2009, in the case referenced above. The Order finds that you and Optima University have acted in contempt of Court and orders you to take certain actions.

Most immediately, you have been ordered to submit an affidavit to the Court and to the plaintiffs -- "within five (5) days" -- which:

1. Provides a complete list of all USMLE-type questions in your custody or control, "whether in a paper or electronic format, and whether in original source form (e.g., videotapes or screen shots from live USMLE exams) or re-typed or otherwise re-formatted." See Order ¶ (1)(a)(i)
2. Identifies "the source and current physical location of all copies of all such materials (including the location of computer servers that host any such materials)." See Order ¶ (1)(a)(i)
3. Provides all passwords and other information necessary to access those materials. See Order ¶ (1)(a)(i)
4. States whether any of your paper or electronic records have been "erased, destroyed, transferred or in any way altered" at any time after February 23, 2009; and, if so, "when,

by whom, how and why,” and “where, when, and [if records were transferred] to whom or to what location.” See Order ¶ (1)(a)(ii)

5. Provides the names and last known address of all persons who have had access to the course materials used by Optima, including individuals who were customers of Optima and individuals who served as instructors at Optima. See Order ¶ (1)(a)(iii)

In addition, you have been ordered to pay a total of \$18,985 to our clients “within ten (10) days of this Order.” See Order ¶¶ 5, 6 and 7.

We anticipate timely compliance with the Court’s Order. Please send the required, executed affidavit to my attention at the address shown above, along with a check in the amount of \$18,985 made payable to the “National Board of Medical Examiners.” If we do not receive the affidavit and check on a timely basis, we will promptly seek relief from the Court which may include a renewed request that you be placed in jail until you comply fully with the Court’s orders.

Thank you very much. If you have any questions, please contact me immediately.

Regards,

RAINEY, KIZER, REVIERE & BELL, PLC

Russell E. Reviere, Attorney at Law  
direct line: 731.426.8103  
direct fax: 731.410.1301  
email: rreviere@raineykizer.com

RER:djt  
Enclosure

cc(w/enc): Steven L. Lefkovitz(via email, fax & USPS)